second heat transfer surface of a thermal dissipation member, said interface comprising a self-supporting and free-standing film layer having a thickness of from about 1-10 mils and consisting essentially of a thermally-conductive material which is form-stable at normal room temperature in a first phase and substantially conformable in a second phase to said interface surfaces, said material having a transition temperature from said first phase to said second phase within the operating temperature range of said electronic component, and said material consisting essentially of at least one resin or wax component or mixture thereof blended with at least one thermally-conductive filler.

REMARKS

Reconsideration of the above-identified application for reissue patent is solicited on behalf of the patent owner. An Information Disclosure Statement is filed herewith.

With the present amendment, claims 1-19 are currently pending, with independent claims 1 and 9 having been amended. Particularly, claims 1 and 9 have been amended to expressly recite that the claimed phase-change material (PCM) may be formulated as mixture of at least one resin or wax component. A complete copy of the amended claim program appears in the Appendix annexed hereto.

Considering the support for the amendment to claims 1 and 9, reference may be had to the printed specification of the subject U.S. Patent No. 6,054,198 ("the '198 patent) wherein at col. 8, ll. 16-65 thereof a representative embodiment is disclosed which is based on a mixture of a resin, namely a PSA component, and a wax, namely an α-olefinic thermoplastic component such as Vybar® 260. [*See also* Example, Sample Nos. 3-1, 2, 3, 7, 8, and 10, at col. 10, l. 19, bridging col. 11, l. 38]. Although not termed a "wax" in the specification, α-olefinic thermoplastics such as Vybar® 260 are generally considered to be waxes and are referred to as such in the following issued U.S. Patent Nos. (copies of which are annexed to the Inventors' Declaration filed herewith): 4,217,320 [*See* col. 2, ll. 59-68]; 4,515,740 [*See* col. 7, ll. 58-63]; 5,994,020 [*See* col. 13, ll. 47-63]; and 6,080,800 [*See* col. 7, ll. 29].

To the extent that claims 1 and 9 as amended would be considered to be broader, at least expressly, than the claims as issued, Applicants are mindful of the prohibition against recapturing cancelled subject matter [*See* M.P.E.P. § 1412.02 *and references cited thereat*]. In this regard, it is noted that the corresponding claims 1 and 13 of the application Serial No. 08/801,047 which matured to issue as the '198 patent were amended to recite that the claimed PCM comprises at least one resin or wax component. [*See* Amendment and Response Under 37 C.F.R. § 1.116 dated April 5, 1999, at pages 1-2]. However, and as appears at page 4 of that Response, those amendments, in reciting a "non-metallic, *i.e.*, resin- or waxed-based phase change material," were proffered to distinguish over the metal wafer of the Altoz reference, U.S. Patent No.